

## Assembly Joint Resolution

No. 2

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### Introduced by Assembly Member Caballero

(Coauthors: Assembly Members Arambula, Coto, De Leon, Fuentes,  
Hernandez, Mendoza, Nava, John A. Perez, V. Manuel Perez,  
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(Coauthors: Senators Cedillo, Correa, Negrete McLeod, and Oropeza)

January 22, 2009

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Assembly Joint Resolution No. 2—Relative to Mexican braceros.

#### LEGISLATIVE COUNSEL’S DIGEST

AJR 2, as introduced, Caballero. Mexican braceros: settlement.

This measure would urge the United States government to urge the Mexican government to extend the deadline for Mexican laborers, known as braceros, who worked in the United States beginning in 1942 as part of a labor importation program initiated by the United States to alleviate a labor shortage during World War II, to submit a claim to recover unpaid wages from a specified settlement fund. It would also urge the United States government to urge the Mexican government to accept a variety of documents as proof of a valid claim.

Fiscal committee: no.

1 WHEREAS, The “Bracero” program was a labor importation  
2 program initiated by the United States government in 1942 to  
3 alleviate the country’s labor shortage during World War II. Over  
4 the program’s 22-year life, more than 4.5 million Mexican  
5 nationals, known as braceros, were legally contracted to work in  
6 the United States; and

1 WHEREAS, Between 1942 and 1946, 10 percent of the braceros’  
2 wages were deducted from each paycheck and set aside for a  
3 “savings fund,” allegedly to be paid to the braceros upon their  
4 return to Mexico. Yet, most braceros never received the savings  
5 that were automatically deducted from their paychecks; and

6 WHEREAS, For years the braceros have petitioned the Mexican  
7 government and, more recently, the Mexican bank, Banrural, to  
8 acknowledge the existence of these funds. Farmworker activists  
9 estimate the total sum owed to the braceros to be between \$150  
10 million and \$3 billion, including interest; and

11 WHEREAS, Eight years ago, six braceros filed a class action  
12 federal lawsuit, on behalf of themselves and other braceros, against  
13 the Mexican government. Those six braceros and the Mexican  
14 government have now entered into a proposed settlement, which  
15 may entitle the braceros to a one-time award of 38,000 pesos each  
16 from the Mexican government; and

17 WHEREAS, The Mexican government has stated that the money  
18 from the settlement will initially only be distributed to those who  
19 prove they worked between the years of 1942 and 1946. Other  
20 braceros may file a claim for repayment from the remaining funds.  
21 However, Alejandra Bologna, Consul General in Sacramento’s  
22 Mexican Consulate, confirmed that Mexico has expanded eligibility  
23 for a one-time \$3,500 payment to include any bracero, or his or  
24 her heir or beneficiary, who can prove the worker was employed  
25 in the program in the United States between the years of 1942 and  
26 1964; and

27 WHEREAS, The State of California has a unique social and  
28 moral responsibility in this matter because many of the braceros  
29 worked and resided in California and because many are now elderly  
30 residents of this state; and

31 WHEREAS, All claims must be submitted no later than January  
32 5, 2009. Claim forms must be submitted to one of the Mexican  
33 Consulates in the United States or to the Consular Section of the  
34 Embassy of Mexico in Washington, D.C., and must be received  
35 by the consulate or the Consular Section of the Embassy of Mexico  
36 on or before that date; now, therefore, be it

37 *Resolved by the Assembly and the Senate of the State of*  
38 *California, jointly,* That the Legislature of the State of California  
39 urges the United States government under the Obama

1 administration to urge the Mexican government to extend the  
2 deadline for submitting a claim; and be it further

3 *Resolved*, That the Legislature urges the United States  
4 government to urge the Mexican government to accept a variety  
5 of documents, including, but not limited to, affidavits or copies of  
6 original documents, to prove that a bracero or his or her heir or  
7 beneficiary has a valid claim; and be it further

8 *Resolved*, That the Chief Clerk of the Assembly transmit copies  
9 of this resolution to the President and Vice President of the United  
10 States, to the Speaker of the House of Representatives, to the  
11 Majority Leader of the Senate, to each Senator and Representative  
12 from California in the Congress of the United States, to  
13 Ambassador Arturo Sarukhan, Ambassador of Mexico to the  
14 United States, and to the Consul General of Mexico in the  
15 following cities: Calexico, Fresno, Los Angeles, Oxnard,  
16 Sacramento, San Diego, San Francisco, San Jose, and Santa Ana.